



JUL 05 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/024,036	12/17/2001	Rajasekhar Bandaru	MPI2000-521P1R(M)

CONFIRMATION NO. 5438

## FORMALITIES LETTER



\*OC000000007534644\*

Millennium Pharmaceuticals, Inc.  
75 Sidney Street  
Cambridge, MA 02139

Date Mailed: 02/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/11/2002 SFELEKE1 00000081 501668 10024036

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

Filing Date Granted

COPY OF PAPERS  
ORIGINALLY FILED

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:


- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

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- For Rules Information, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- 

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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10024036.07050247

COPY OF PAPERS  
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PATENT

Practitioner's Docket No. MPI00-521P1RM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rajasekhar Bandaru  
Application No.: 10/024,036 Group No.:  
Filed: 12/17/2001 Examiner:  
For: 68730 and 69112, PROTEIN KINASE MOLECULES AND USES THEREFOR

Commissioner for Patents  
Washington, D.C. 20231  
ATTENTION: Application Division

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILED UNDER 37 CFR 1.53(b)

I. This replies to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILED UNDER 37 CFR 1.53(b) (Form PTOL-458) mailed February 26, 2002.

A copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILED UNDER 37 CFR 1.53(b) (Form PTOL-458) is enclosed (2 pages).

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
Washington, D.C. 20231.  
37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"  
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TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Diana Gentile  
Signature

Date: June 26, 2002

Diana Gentile

(type or print name of person certifying)

07/11/2002 SFELEKE1 00000081 501668 10024036  
02 FC:116 400.00 CH

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Practitioner's Docket No. MPI00-521P1RM**COMPLETION OF INFORMALITIES****II.**

To complete the informalities noted on the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b), applicant submits herewith:

- (a) ☒ an executed Declaration, bearing the above application number and filing date, in compliance with 37 C.F.R. Section 1.63, and showing the post office address and the city and state or foreign country of applicant's residence (3 pages)
- (b) ☒ Substitute computer readable form copy of the "Sequence Listing" and a Statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing (8 pages)
- (c) ☒ Copy of Raw Sequence Listing Error Report (9 pages)
- (d) ☒ Declaration surcharge of \$130.00
- (e) ☒ Substitute drawings in compliance with 37 CFR 1.84 (8 pages)
- (f) ☒ Preliminary Amendment w/Appendix A and B (4 pages)

**EXTENSION OF TIME****III.**

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(5), for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00
<input type="checkbox"/> five months	\$ 1,960.00	\$ 980.00

Fee \$400.00

If an additional extension of time is required, please consider this a petition therefor.

Practitioner's Docket No. MPI00-521P1RM

**FEE PAYMENT**

**IV.**

☐ Attached is a check in the sum of \$ \_\_\_\_\_ to cover \_\_\_\_\_.

☒ Charge Deposit Account No. 501668

☒ the sum of \$530.00 [for the Declaration Surcharge fee of \$130.00 and the 2 Month Extension of Time for \$400.00 due.]

☐ for any fee which may be due *(see conditional petition above)*.

A duplicate of this transmittal is attached.

June 26, 2002

MILLENNIUM PHARMACEUTICALS, INC.

By 

Jean M. Silveri

Registration No. 39,030

75 Sidney Street

Cambridge, MA 02139

Telephone - (617) 679-7336

Facsimile - (617) 551-8820



#6

Practitioner's Docket No. MPI2000-521P1RM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Bandaru, Rajasekhar  
Application No.: 10/024,036  
Filed: December 17, 2001  
For: 68730 and 69112, Protein Kinase Molecules and Uses Therefor

Group No.: Not yet assigned  
Examiner: Not yet assigned

**Box Sequence**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

COPY OF PAPERS  
ORIGINALLY FILED

This submission accompanies the Response to Notice to File Missing Parts of NonProvisional Application filed under 37 CFR 1.53(B) currently being filed herewith. A copy of the Raw Sequence Listing Error Report is enclosed.

**IDENTIFICATION OF PERSON MAKING STATEMENT**

I, Jean M. Silveri  
(type or print name of person signing below)

state the following:

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.  
**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

☒ with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_

☐ transmitted by facsimile to the Patent and Trademark Office.

**TRANSMISSION**

Diana Gentile  
Signature

Date: June 26, 2002

Diana Gentile  
(type or print name of person certifying)

## ITEMS BEING SUBMITTED

2. Submitted herewith is/are:

- A. ☒ A paper copy of the Amended "Sequence Listing" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☒ A copy of the "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- C. ☐ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).
- D. ☐ Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

## REMARKS TO AMENDMENTS UNDER 37 C.F.R. SECTION 1.825

The substitute Sequence Listing submitted herewith has been amended to correct a typographical error in the indication of the position of the first nucleotide of the coding region of SEQ ID NO:1, which resulted in the errors of the encoded protein sequence shown in SEQ ID NOs:1 and 2 of the previously submitted Sequence Listing. The correct coding region, however, was shown in SEQ ID NO:3 and the sequence encodes a polypeptide of 357 amino acid residues.

In the substitute Sequence Listing, SEQ ID NO:1 has been amended to indicate the position of the coding sequence as being from nucleotide residues 169 to 1242, support for which can be found on page 7, line 3 of paragraph 28, and on page 26, lines 4-5 of paragraph 81, of the application as filed. The sequence of the coding region shown in SEQ ID NO:1 of the substitute Sequence Listing is now identical to the sequence shown in SEQ ID NO:3. The polypeptide sequence encoded by the open reading frame of SEQ ID NO:1 has 357 amino acid residues as shown in SEQ ID NOs:1 and 2, and is supported in the specification on page 7, line 5 of paragraph 28, and on page 23, line 9 of paragraph 72.

## STATEMENT THAT "SEQUENCE LISTING" AND COMPUTER READABLE COPY ARE THE SAME AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER

3. I hereby state:

- A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

### EXTENSION OF TIME

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(5), for the total number of months checked below:

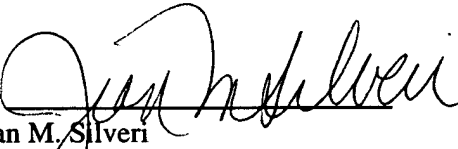
Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 400.00	\$ 200.00
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<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00
<input type="checkbox"/> five months	\$ 1,960.00	\$ 980.00

Fee \$400.00

If an additional extension of time is required, please consider this a petition therefor.

### FEE DEFICIENCY

5. ☒ If any additional extension fee is required, charge Account No. 501668.

<u>June 26, 2002</u>	MILLENNIUM PHARMACEUTICALS, INC.   By <u>Jean M. Silveri</u> Registration No. 39,030 75 Sidney Street Cambridge, MA 02139 Telephone - (617) 679-7336 Facsimile - (617) 551-8820
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